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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ

Serial No. 10/590,803

Filed: August 25, 2006



Conf. No.: 1422

Examiner: SZNAIDMAN, M.

Group Art Unit: 1611

For: **NOVEL HYDROXY-6-HETEROARYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS**

TRANSMITTAL LETTER

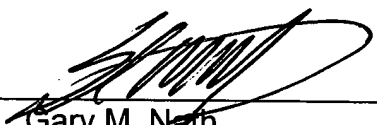
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter, one (1) page; and
- (2) Response to Notice of Non-Responsive Amendment, three (3) pages.

Respectfully submitted,  
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October 1, 2008

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GMN/SMM/few:FR\_TL



**MAIL STOP AMENDMENT**  
Attorney Docket No. 27558U

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**RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Communication dated September 15, 2008. The period for response is set to expire on October 15, 2008. Accordingly, this Response is timely filed within the time period set by the Examiner.

**REMARKS**

The Examiner has indicated that the Response filed on June 2, 2008 was not fully responsive to the prior Restriction/Election requirement mailed on May 1, 2008, because Applicants did not specify the following:

- 1) The position at which the pyridinyl group of HAR is attached to the molecule;
- 2) The specific substituents on the pyridinyl group of HAR (R6, R7, R8) and their exact positions on the pyridinyl group of HAR; and
- 3) A particular species for R8.